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FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 0588
INFO AMEMBASSY SEOUL
UNCLAS SECTION 01 OF 02 LONDON 25664
E. O. 12065: N/A
TAGS: SHUM, KS
SUBJECT: AMNESTY INTERNATIONAL APPEAL ON BEHALF OF KIM DAE-JUNG

1. THE EMBASSY HAS RECEIVED THE FOLLOWING LETTER ADDRESSED TO PRESIDENT CARTER.

QUOTE:

YOUR EXCELLENCY,

I HAVE THE HONOUR OF ADDRESSING YOUR EXCELLENCY WITH RESPECT TO THE CASE OF KIM DAE-JUNG, THE OPPOSITION LEADER IN THE REPUBLIC OF KOREA, NOW UNDER SENTENCE OF DEATH. I AM TAKING THE UNUSUAL STEP OF REQUESTING YOUR EXCELLENCY TO INTERCEDE ON BEHALF OF KIM DAE-JUNG WITH HIS EXCELLENCY. PRESIDENT CHUN DOO-HWAN, IN THE EVENT THAT THE SUPREME COURT OF THE REPUBLIC OF KOREA CONFIRMS THE DEATH SENTENCE PASSED BY A MILITARY COURT LAST SEPTEMBER. IF THE DEATH SENTENCE IS CONFIRMED, THE PRESIDENT OF THE REPUBLIC HAS DISCRETIONARY POWER TO COMMUTE IT.

I AM ADDRESSING THIS REQUEST TO YOUR EXCELLENCY AS HEAD OF

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GOVERNMENT OF ONE OF THE NATIONS CURRENTLY COMPRISING THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS WHICH, UNDER THE CHARTER OF THE UNITED NATIONS, IS RESPONSIBLE FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

AMNESTY INTERNATIONAL BELIEVES THIS UNUSUAL REQUEST IS JUSTIFIED BY THE SPECIAL CHARACTER OF THE CASE OF KIM DAE-JUNG. SINCE THE 1960S, KIM DAE-JUNG HAS BEEN SUBJECTED TO A SERIES OF HUMAN RIGHTS VIOLATIONS: IMPRISONMENT FOR THE PEACEFUL EXERCISE OF HIS RIGHT TO FREEDOM OF EXPRESSION, ILL-TREATMENT DURING DETENTION, UNFAIR TRIAL AND NOW THE IMPOSITION OF THE DEATH PENALTY. AS THE MOST PROMINENT LEADER OF THE OPPOSITION IN SOUTH KOREA, HE HAS REPEATEDLY BEEN A VICTIM OF EXILE, IMPRISONMENT AND HOUSE ARREST. HE HAS NEVER BEEN KNOWN TO ADVOCATE POLITICAL CHANGE BY VIOLENCE, BUT HAS CONDUCTED HIS POLITICAL ACTIVITY WITHIN THE FRAMEWORK OF THE COUNTRY'S CONSTITUTION.

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY HT DATE 8/18/82
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☒
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

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AMNESTY INTERNATIONAL HAS ADOPTED HIM AS A PRISONER OF CONSCIENCE, DEFINED IN ITS STATUTE AS THOSE WHO ARE "IMPRISONED, DETAINED OR OTHERWISE PHYSICALLY RESTRICTED BY REASON OF THEIR POLITICAL, RELIGIOUS OR OTHER CONSCIENTIOUSLY HELD BELIEFS OR BY REASON OF THEIR ETHNIC ORIGIN, SEX, COLOUR OR LANGUAGE, PROVIDED THAT THEY HAVE NOT USED OR ADVOCATED VIOLENCE."

KIM DAE-JUNG WAS ARRESTED ON 17 MAY 1980, TOGETHER WITH OTHERS KNOWN TO SHARE HISPOLITICAL VIEWS. ALL WERE HELD INCOMMUNICADO UNTIL A FEW DAYS BEFORE THEIR TRIAL STARTED ON 14 AUGUST. DURING THE TRIAL, KIM DAE-JUNG STATED THAT HE HAD BEEN KEPT IN AN UNDERGROUND ROOM AND QUESTIONED CONTINUOUSLY FOR 60 DAYS, FOR UP TO 15 HOURS A DAY. HE

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IS REPORTED TO HAVE SAID, "SOMETIMES I WAS STRIPPED OF MY CLOTHES AND BROUGHT TO THE VERY POINT OF TORTURE." HE WAS ACCUSED OF FOUNDING AN "ANTI-STATE ORGANIZATION" AND REMAINING IN CONTACT WITH ITS MEMBERS AND OF "FINANCING AND INSTIGATING STUDENT DISTURBANCES IN THE KWANJU AREA." THERE WAS NO PROPER EXAMINATION OF THE EVIDENCE PRODUCED IN COURT TO CONVICT HIM OF THESE OFFENCES NOR HAS IT BEEN DISCLOSED ON WHICH OF THE CHARGES HE HAS BEEN SENTENCED TO DEATH.

KIM DAE-JUNG HAS BEEN SENTENCED TO DEATH BY HANGING FOR ACTIVITY CONSISTING SOLELY OF THE EXERCISE OF HIS FUNDAMENTAL HUMAN RIGHTS, AFTER A TRIAL WHICH FAILED TO FULFILL INTERNATIONAL STANDARDS OF FAIRNESS. HIS EXECUTION WOULD CONTRAVENE THE HUMAN RIGHTS STANDARDS AGREED BY MOST OF THE GOVERNMENTS OF THE WORLD. CERTAIN GOVERNMENT LEADERDS, STATESMEN AND PUBLIC FIGURES OF DIVERSE POLITICAL BACKGROUNDS HAVE ALREADY APPEALED TO THE AUTHORITIES OF THE REPUBLIC OF KOREA ON HIS BEHALF.

IN RECENT YEARS OTHERS HAVE BEEN EXECUTED IN THE REPUBLIC OF KOREA FOR POLITICAL ACTIVITIES, OFTEN AFTER ILL-TREATMENT AND UNFAIR TRIALS. AMNESTY INTERNATIONAL WHICH OPPOSES THE DEATH PENALTY IN ALL CASES AND IN ALL CIRCUMSTANCES HAS ALSO APPEALED TO THE AUTHORITIES TO GRANT CLEMENCY TO 12 OTHER POLITICAL PRISONERS CURRENTLY UNDER SENTENCE OF DEATH.

BECAUSE OF THE PUBLICITY SURROUNDING KIM DAE-JUNG'S TRIAL AND BECAUSE OF HIS PROMINENCE, HIS CASE CAN BE SEEN AS A CHALLENGE TO THE INTERNATIONAL COMMUNITY. HIS EXECUTION WOULD BE A BLOW TO RESPECT FOR INTERNATIONAL HUMAN RIGHTS STANDARDS WHICH MUST BE UNDERSTOOD TO EXCLUDE THE USE OF

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UNCLAS SECTION 02 OF 02 LONDON 25664
THE DEATH PENALTY AS A PUNISHMENT FOR PEACEFUL POLITICAL
ACTIVITY.
THE SUPREME COURT OF THE REPUBLIC OF KOREA IS EXPECTED TO
RULE ON THE FINAL APPEAL OF KIM DAE-JUNG IN THE VERY NEAR
FUTURE. AMNESTY INTERNATIONAL URGES YOUR EXCELLENCY TO
APPEAL TO HIS EXCELLENCY PRESIDENT CHUN DOO-HWAN TO USE
HIS RIGHT TO EXERCISE CLEMENCY AND COMMUTE THE DEATH
SENTENCE AGAINST KIM DAE-JUNG AS WELL AS OTHER PRISONERS
NOW UNDER SENTENCE OF DEATH IN THE REPUBLIC OF KOREA.
PLEASE ACCEPT, YOUR EXCELLENCY, THE ASSURANCE OF MY HIGHEST
CONSIDERATION.
-
- THOMAS HAMMARBERG
SECRETARY GENERAL
UNQUOTE. BREWSTER
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